

ENTERED

May 23, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

BENEFYTT TECHNOLOGIES, INC., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 23-90566 (CML)
)
) (Jointly Administered)
) **Re: Docket No. 17**

**ORDER (I) AUTHORIZING THE DEBTORS
 TO REDACT CERTAIN PERSONALLY IDENTIFIABLE
 INFORMATION, (II) APPROVING THE FORM AND MANNER OF
 NOTIFYING CREDITORS OF THE COMMENCEMENT OF THE CHAPTER 11
 CASES AND OTHER INFORMATION, AND (III) GRANTING RELATED RELIEF**

Upon the emergency motion (the “Motion”)² of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for entry of an order (this “Order”), The Debtors seek entry of an order, substantially in the attached form (the “Order”), (a) authorizing the Debtors to redact certain personally identifiable information; (b) approving the form and manner of notifying creditors of the of commencement of these chapter 11 cases; and (c) granting related relief, all as more fully set forth in the Motion; and upon the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b); and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Benefytt Technologies, Inc. (2634); American Service Insurance Agency LLC (9115); Benefytt Reinsurance Solutions, LLC (4601); BimSym-HPIH, LLC (4626); Dawn Acquisition Company, LLC (0909); Daylight Beta Intermediate Corp. (7248); Daylight Beta Intermediate II Corp. (8842); Daylight Beta Parent Corp. (6788); Health Insurance Innovations Holdings, Inc. (1994); Health Plan Intermediaries Holdings, LLC (0972); Healthinsurance.com, LLC (9525); HealthPocket, Inc. (3710); Insurance Center for Excellence, LLC (4618); RxHelpline, LLC (9940); Sunrise Health Plans, LLC (3872); TogetherHealth Insurance, LLC (9503); TogetherHealth PAP, LLC (8439); and Total Insurance Brokers, LLC (7975). The location of the Debtors’ service address is: 3450 Buschwood Park Drive, Suite 200, Tampa, Florida 33618.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court, if any; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Debtors and the Claims and Noticing Agent are directed to redact on the Creditor Matrix, Schedules and Statements, or other documents filed with the Court (a) all personally identifiable information of minors; (b) all personally identifiable information of individual creditors who are citizens of the United States and residing in the United States—including the Debtors' employees, contract workers, vendors, suppliers—and individual equity holders; and (c) all Personal Data of individuals if such Personal Data is processed subject to the UK GDPR or EU GDPR. The Debtors shall provide an unredacted version of the Creditor Matrix, Schedules and Statements, and any other filings redacted pursuant to this Order to (x) the Court, the U.S. Trustee, counsel to any official committee appointed in these chapter 11 cases, counsel to the DIP Lender, and the Claims and Noticing Agent and (y) any party in interest upon a request to the Debtors (email is sufficient) or to the Court that is reasonably related to these chapter 11 cases, subject to the restrictions of the UK GDPR and EU GDPR to the extent implicated; *provided* that any receiving party shall not transfer or otherwise provide such unredacted document to any person

or entity not party to the request. The Debtors shall inform the Court and U.S. Trustee promptly after denying any request for an unredacted document pursuant to this Order. Nothing herein precludes a party in interest's right to file a motion requesting that the Bankruptcy Court unseal the information redacted by this Order. The rights of all parties in these chapter 11 cases to object to the relief set forth in this paragraph, for any reason, including that the Debtors have not satisfied their burden under section 107(c) of the Bankruptcy Code, are hereby preserved.

2. The Notice of Commencement, substantially in the form attached hereto as **Exhibit 1** is approved. The Debtors, through Stretto, are authorized to serve the Notice of Commencement on all parties on the Creditor Matrix (including via email, if available). Service of the Notice of Commencement shall be deemed adequate and sufficient notice of: (a) the commencement of these chapter 11 cases; and (b) the scheduling of the meeting of creditors under section 341 of the Bankruptcy Code.


3. Nothing herein precludes a party in interest's right to seek emergency relief from the provisions herein or file a motion requesting that the Court allow access to the information redacted by this Order.

4. Notice of the Motion as set forth therein shall be deemed good and sufficient notice of such Motion, and the requirements of the Bankruptcy Rules and the Bankruptcy Local Rules are satisfied by such notice.

5. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order.

6. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed: May 23, 2023



Christopher Lopez
United States Bankruptcy Judge

Exhibit 1

Notice of Commencement

Information to identify the case:

Debtor: Benefytt Technologies, Inc., et al. EIN: 46-1282634
 Name

United States Bankruptcy Court for the Southern District of Texas

Case Number: 23-90566 (CML) Date case filed for Chapter 11:
 May 23, 2023

Official Form 309F1 (For Corporations or Partnerships)

Notice of Chapter 11 Bankruptcy Case**10/20**

For the debtor listed above, a case has been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors and debtors, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

The staff of the bankruptcy clerk's office cannot give legal advice.

Do not file this notice with any proof of claim or other filing in the case.

1. Debtors' full name: See chart below.

List of Jointly Administered Cases

NO.	DEBTOR	ADDRESS	CASE NO.	EIN #
1	Benefytt Technologies, Inc.	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90566	46-1282634
2	American Service Insurance Agency LLC	Chambers Circle, Suite 1004, Waxahachie, TX 75165	23-90565	27-4829115
3	Benefytt Reinsurance Solutions, LLC	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90568	87-0904601
4	BimSym-HPIH, LLC	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90570	83-3334626
5	Dawn Acquisition Company, LLC	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90573	86-1990909
6	Daylight Beta Intermediate Corp.	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90576	85-1937248
7	Daylight Beta Intermediate II Corp.	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90567	85-2608842
8	Daylight Beta Parent Corp.	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90571	85-1936788
9	Health Insurance Innovations Holdings, Inc.	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90574	83-3351994
10	Health Plan Intermediaries Holdings, LLC	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90577	46-0580972
11	Healthinsurance.com, LLC	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90579	95-4769525

12	HealthPocket, Inc.	444 Castro Street, Suite 700, Mountain View, CA 94041	23-90582	45-5293710
13	Insurance Center for Excellence, LLC	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90569	45-5404618
14	RxHelpline, LLC	1300 Sawgrass Corporate Pkwy, Suite 200, Sunrise, FL 33323	23-90572	47-0989940
15	Sunrise Health Plans, LLC	3450 Buschwood Park Drive, Suite 200, Tampa, FL 33618	23-90575	26-4123872
16	TogetherHealth Insurance, LLC	1300 Sawgrass Corporate Pkwy, Suite 200, Sunrise, FL 33323	23-90578	82-5189503
17	TogetherHealth PAP, LLC	1300 Sawgrass Corporate Pkwy, Suite 200, Sunrise, FL 33323	23-90580	27-2388439
18	Total Insurance Brokers, LLC	3109 W Dr. ML King Jr. Blvd Suite 400 Tampa, FL 33607	23-90581	83-4127975

2. All other names used in the last 8 years: See Rider 1.

3. Address: See chart above.

4. Debtors' attorneys:

JACKSON WALKER LLP

Matthew D. Cavanaugh (TX Bar No. 24062656)
 Jennifer F. Wertz (TX Bar No. 24072822)
 J. Machir Stull (TX Bar No. 24070697)
 Victoria N. Argeroplos (TX Bar No. 24105799)
 1401 McKinney Street, Suite 1900
 Houston, TX 77010
 Telephone: (713) 752-4200
 Facsimile: (713) 752-4221
 Email: mcavanaugh@jw.com
 jwertz@jw.com
 mstull@jw.com
 vargeroplos@jw.com

Debtors' notice and claims agent (for court documents and case information inquiries):

Case Website: <https://cases.stretto.com/Benefytt>

Email: benefyttinquiries@stretto.com

Telephone: 833.693.3762 (Toll-free)
 720.450.8180 (International)

If by First-Class Mail or Hand Delivery or Overnight Mail:

Benefytt Claims Processing Center
 c/o Stretto
 410 Exchange, Suite 100
 Irvine, CA 92602

-and-

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Patrick J. Nash, P.C. (pro hac vice pending)
 John R. Luze (pro hac vice pending)
 Jeffrey T. Michalik (pro hac vice pending)
 Yusuf Salloum (pro hac vice pending)
 300 North LaSalle Street
 Chicago, Illinois 60654
 Telephone: (312) 862-2000
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 Email: patrick.nash@kirkland.com
 john.luze@kirkland.com
 jeff.michalik@kirkland.com
 yusuf.salloum@kirkland.com

Proposed Co-Counsel to the Debtors
 and Debtors in Possession

5. Bankruptcy Clerk's Office

Documents in this case may be
 filed at this address.

**United States Courthouse
 515 Rusk Avenue
 Houston, Texas 77002**

**Hours Open: Monday - Friday
 8:00 AM - 5:00 PM CT
 Contact phone: 713-250-5500**

All documents in this case are available
 free of charge on the website of the

<p>You may inspect all records filed in this case at this office or online at www.pacer.gov</p>	<p>Debtors' notice and claims agent at https://cases.stretto.com/Benefytt</p>	
<p>6. Meeting of Creditors</p> <p>The debtor's representative must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so.</p>	<p>[•], 2023 at [•] a.m./p.m. (prevailing Central Time)</p> <p>The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.</p>	<p>Location: Telephone Conference Call</p> <p>Dial: [•] Code: [•]</p>
<p>7. Proof of Claim Deadline:</p>	<p>Deadline for filing proof of claim:</p> <p>General Bar Date: [Day], [•], 2023 at 5:00 PM CT. Governmental Bar Date: [Day], [•], 2023 at 5:00 PM CT.</p> <p>A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at www.uscourts.gov or any bankruptcy clerk's office.</p> <p>Your claim will be allowed in the amount scheduled unless:</p> <ul style="list-style-type: none"> • Your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>; • You file a proof of claim in a different amount; or • You receive another notice. <p>If your claim is not scheduled or if your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.</p> <p>You may review the schedules at the bankruptcy clerk's office or online at https://pacer.uscourts.gov.</p> <p>Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p>	
<p>8. Exception to discharge deadline</p> <p>The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.</p>	<p>If § 523(c) applies to your claim and you seek to have it excepted from discharge, you must start a judicial proceeding by filing a complaint by the deadline stated below.</p> <p>Deadline for filing the complaint: Not applicable</p>	
<p>9. Creditors with a foreign address</p>	<p>If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p>	
<p>10. Filing a Chapter 11 bankruptcy case</p>	<p>Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the</p>	

	confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the property and may continue to operate its business.
11. Discharge of debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.

Rider 1
Other Names Used in the Last 8 Years

Current Entity Name	Former Entity Name
Benefytt Technologies, Inc.	Health Insurance Innovations, Inc. Benefytt Benefytt Technologies
Health Plan Intermediaries Holdings, LLC	Health Plan Intermediaries
Health Insurance Innovations Holdings, Inc.	Health Insurance Innovations Health Insurance Innovations, Inc.
HealthPocket, Inc.	AgileHealthInsurance